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**U. S. DISTRICT COURT
U. S. PROBATION & PRETRIAL SERVICES
DISTRICT OF DELAWARE**

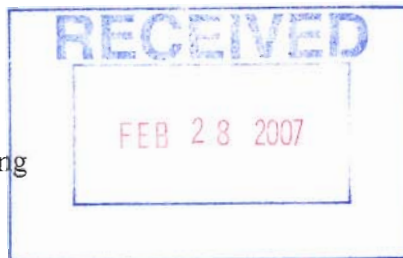
February 27, 2007



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William Bryan Henry
SBI No. 00225507
S.C.I. Georgetown, Key Building
P.O. Box 500
Georgetown, DE 19947



Dear Mr. Henry:

Please accept this letter as a reply to your letter to the Honorable Joseph J. Farnan, Jr., on July 25, 2006. In your letter, you requested that Judge Farnan issue an order giving you credit for time spent in custody from May 25, 2000, to December 1, 2000, toward your 18-month federal sentence.

At the time of your sentencing in the U.S. District Court for the District of Delaware, May 23, 2000, there was no way for the Honorable Roderick R. McKelvie to grant the credit you are requesting. Pursuant to Federal Rule of Criminal Procedure 35, there is no way for Judge Farnan to reopen the sentencing hearing to apply the credit. Finally, pursuant to 18 U.S.C. § 3585, the U.S. Bureau of Prisons (BOP) may, in its sole discretion, grant you credit for time spent in state custody while also pending proceedings in the United States District Court. The BOP will not compute your sentence until you are transferred into federal custody, which will not occur until you complete the sentence imposed by the Superior Court of Delaware.

Based on my knowledge of BOP policy, it is unlikely you will receive the credit you are seeking. In researching this reply, I reviewed your Superior Court sentence and Department of Correction record. The 40 year sentence you are currently serving has an effective date of July 16, 1999, which means you received credit against your state sentence for the seven months you spent in state custody while also pending prosecution in federal court. Because the State of Delaware gave you credit for this time, the BOP will not.

William Bryan Henry

RE: Request for Credit Against Sentence

February 26, 2007

Good luck to you. If you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter Matthews", with a long horizontal flourish extending to the right.

Walter Matthews
Sr. U.S. Probation Officer

c: The Honorable Joseph J. Farnan, Jr. ✓
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